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|-------------------------------|------------------------|---------------------|--|
| Notice of Allowability | Application No. | Applicant(s) | |
| | 10/812,846 | SUZUKI, TOSHIHIRO | |
| | Examiner | Art Unit | |
| | David J. Makiya | 2885 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 6/7/2007.
2. ☒ The allowed claim(s) is/are 6.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____ 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application 6. <input type="checkbox"/> Interview Summary (PTO-413), Paper No./Mail Date _____ 7. <input type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____ |
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DETAILED ACTION

Allowable Subject Matter

Claim 6 is allowed.

The following is an examiner's statement of reasons for allowance:

The prior art fails to teach or suggest the light-emitting element groups having three light emitting elements corresponding to the three primary colors, arranged with vertexes of a triangle are arranged in a matrix shape wherein the groups are arranged to be deviated every other column or row such that a positional relation among the light-emitting element groups is a delta shape, a row interval, a column interval, and an arrangement angle of the groups are adjusted such that if the average amount of light calculated from the sum of amounts of light of the single color light emitting elements is 100%, the sum of amounts of light at a center of gravity of the delta shape and a center of gravity of a diamond shape formed by two delta shapes is between 75% and 125%. The claim is being interpreted such that, while any three groupings make up a triangular shape, they are not necessarily equilateral triangles, which is equivalent to the claimed delta shape.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Chou (US 2005/0169007), Park et al. (US 2007/0014098) and Yamanaka (US 2006/0087227) teach backlights with red, green, and blue light sources in a delta pattern, but fails to teach or suggest a row interval, a column interval, and an arrangement angle of the groups are adjusted such that the sum of amounts of light at a center of gravity of the delta shape and a center of gravity of a diamond shape formed by two delta shapes is

Art Unit: 2885

between 75% and 125%. In addition, the fail to anticipate the priority date of the instant application.

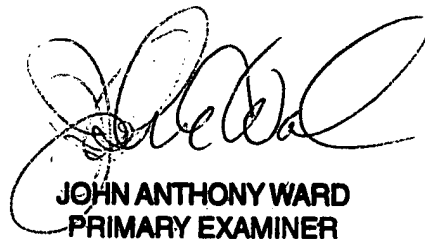
Stanton (US Patent 6,932,477) Matsui et al. (US Patent 6,883,933), Lin et al. (US Patent 6,856,087), Yajima et al. (US Patent 6,536,913), and Kashiwabara et al. (US Patent 5,146,715) teach lighting devices with light emitting element groups with three primary colors of light, but fails to teach the groups to be deviated every other column or row to create a delta shape.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Makiya whose telephone number is (571) 272-2273.

The examiner can normally be reached on Monday-Friday 7:30am - 4:00pm (ET).


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jong (James) Lee can be reached on (571) 272-7044. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



JOHN ANTHONY WARD
PRIMARY EXAMINER

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DJM 06/21/2007



JOHN ANTHONY WARD
PRIMARY EXAMINER